

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59363 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- DARIHAT District- Rohtas

-
1. Pawan Mahto S/o Parmeshwar Mahto, Resident of Village- Daulatpur, P.S.- Hajipur Sadar, District- Vaishali.
 2. Mohamad Chand S/o Md. Jamil, Resident of Village- Daulatpur, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shanti Bhushan Singh, Advocate.

For the Opposite Party/s : Mr. Prem Kumar Jha, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. Petitioners seek regular bail in connection with
Darihat P.S. Case No.48 of 2025 instituted under Section 30(a)
of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
261.54 litre illicit foreign liquor from the XUV500 vehicle
bearing Registration No. JH-01AT-8307 and both the petitioners
were arrested on the spot.

4. Learned counsel for the petitioners submits that
petitioners are innocent and have falsely been implicated in this
case. He further submits that no incriminating article has been
recovered from the conscious possession of petitioners. Learned



counsel submits that petitioners have no concern either with the alleged seized liquor or with the vehicle from where the alleged recovery has been made. He further submits that there is no independent witness to the seizure list. Learned counsel submits that petitioners are in custody since 22.06.2025, petitioner no.1 has three criminal antecedents, in which he is on bail and petitioner no.2 has no criminal antecedent and charge sheet had already been submitted in this case after completion of investigation. He further submits that there is no likelihood of absconding the petitioners or tampering with the evidence and they undertake to cooperate in the trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioners.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the period of custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Court No.1, Rohtas at Sasaram in connection with Darihat P.S. Case No.48 of 2025 with following conditions:-

(i) The petitioners shall appear on each and every date



before the learned Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bonds by the learned Trial Court;

(ii) The petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iii) The petitioners shall desist from committing any such criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

Ritik/-

U		T	
---	--	---	--

